UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
v.) No.: 3:09 -CR-68-PLR-HBG
)
DAVID CLARK SEMON)

MEMORANDUM AND ORDER

This matter is before the court on the defendant's *pro se* motion for transfer to a prison facility in Birmingham, Alabama [R. 45]. Defendant pled guilty to possession of an unregistered firearm [R. 16], and was sentenced to 110 months imprisonment, followed by three years of supervised release [R. 24].

The Bureau of Prisons has the express authority to designate the place of a prisoner's confinement. 18 U.S.C. § 3621(b); *Devonshire v. Holder*, 2013 WL 460532 at *2 (E.D. Ky. Feb. 6, 2013). Moreover, it is well-settled that federal prisoners have no constitutional right to be confined in, or transferred to, a particular facility. *Id., see also McKune v. Live*, 536 U.S. 24, 39 (2002); *Olim v. Wakinekona*, 461 U.S. 238 (1983); *Meachum v. Fano*, 427 U.S. 215 (1976). Therefore, the court finds that it is without

authority to order the transfer of defendant to a facility in Birmingham, Alabama. Accordingly, defendant's motion for transfer [R. 45] is **DENIED.**

IT IS SO ORDERED.

United States District Court Judge